

County Council of Howard County, Maryland

2011 Legislative Session

Legislative day No. 2.

RESOLUTION NO. 11 - 2011

Introduced by: Chair and Courtney Watson

A RESOLUTION amending the Howard County Council Rules of Procedure to conform to longstanding practices; authorizing the Chairperson to cancel a meeting under specified circumstances; clarifying when the Council is permitted to conduct closed sessions and who may attend such sessions; clarifying that the Chairperson may, but need not, vote; clarifying the way that Administration requests are characterized; and generally relating to the Council Rules of Procedure.

Introduced and read first time on February 7, 2011.

By order

Stephen LeGendre
Stephen LeGendre, Administrator to the County Council

Read for a second time and a public hearing held on February 22, 2011.

By order

Stephen LeGendre
Stephen LeGendre, Administrator to the County Council

This Resolution was read the third time and was Adopted ☒, Adopted with amendments ☒, Failed ☐, Withdrawn ☐ by the County Council on March 7, 2011.

Certified by

Stephen LeGendre
Stephen LeGendre, Administrator to the County Council

NOTE: [[text in brackets]] indicates deletions from existing language; TEXT IN SMALL CAPITALS indicates additions to existing language. Strike-out indicates material deleted by amendment; Underlining indicates material added by amendment.

WHEREAS, Article II, Section 208(f) of the Howard County Charter provides that the Council shall adopt and publish such Rules of Procedure as it determines are desirable for its efficient operation; and

WHEREAS, the Council has determined that the Rules of Procedure must be amended to ensure that the Council operates efficiently and effectively.

NOW, THEREFORE, BE IT RESOLVED by the County Council of Howard County, Maryland this _____ day of _____, 2011 that the Rules of Procedure of the Howard County Council, set forth in Appendix A of the Howard County Code, are amended as follows:

Appendix A.

Rules of Procedure for the County Council of Howard County, Maryland

Rule 1.001 General.

These rules of procedure for the County Council are adopted under authority of section 208 of the Howard County Charter.

(a) *Types of Meetings.* The Council shall hold regular legislative meetings and such other meetings, hearings, and ~~[[worksessions]]~~ WORK SESSIONS as may be provided by law or required for the orderly conduct of business. All such meetings shall be open to the public. The Council may ~~[[also]]~~ meet ~~[[informally and]]~~ in closed SESSION AS PERMITTED BY THE STATE OPEN MEETINGS ACT. ANY CLOSED MEETING, EXCEPT A MEETING THAT IS CLOSED TO DISCUSS A PERSONNEL ISSUE, MAY BE ATTENDED BY ANY COUNCILMEMBER, SPECIAL ASSISTANT TO A COUNCILMEMBER, AND APPROPRIATE COUNTY PROFESSIONAL STAFF MEMBER UNLESS THE COUNCIL EXPRESSLY FURTHER RESTRICTS ATTENDANCE. ~~[[for the purpose of discussing:~~

(1) The administrative affairs of the legislative Branch (such as screening and selection of employees of the Council and for considering personnel problems);

(2) The selection of sites proposed for acquisition by the County or for the

1 location of County facilities;

2 (3) The awards of contracts to perform services for the County; and

3 (4) For discussing legal strategy on a matter involving past, present or future
4 litigation.

5 These closed meetings shall be for the purpose of discussion only and no]] NO ordinance,
6 resolution, rule or regulations shall be adopted except during a duly called public meeting or
7 session. All legislative meetings of the Council and all public hearings shall be recorded. [[The
8 record shall be transcribed and be reduced to a typewritten record when requested by any party in
9 interest, provided that said party ordering the record shall pay to the Administrator of the
10 Council, in advance, the cost of transcribing the same.]]

11 (b) *Time of Meetings:*

12 (1) [[legislative]] *Legislative session days.* The Council may sit up to 45 days in
13 each year for the purpose of introducing and enacting legislation. [[The]] EXCEPT AS
14 OTHERWISE PROVIDED IN THIS PARAGRAPH, THE Council shall meet regularly on the first
15 Monday in each month[, except:].

16 (i) If the first Monday is a County Government holiday or a day on which
17 Rosh Hashanah, Yom Kippur, Eid Ul Fitr or Eid Ul Adha is observed, then the
18 meeting shall be held on the next succeeding day which is not one of these days.

19 (ii) There shall be no legislative session in August, except for an
20 emergency legislative session, unless the Council provides by resolution for a
21 session in August[;:].

22 (iii) During a [[councilmanic]] COUNCIL election year no legislative
23 session, except for an emergency legislative session, shall be held during the
24 month of November nor during the month of December until a majority of the
25 members of the Council shall be qualified[;:].

26 (iv) The Council may be called into emergency legislative session either
27 by the County Executive or by a majority of the members of the Council on any
28 day as directed by the Chairperson[; and]].

29 (v) . At any session prior to any scheduled session, the Council may
30 determine by an affirmative vote of two-thirds of its members not to sit at any

1 regularly scheduled session.

2 (vi) IF IN ADVANCE OF ANY SCHEDULED MEETING THE CHAIRPERSON
3 DETERMINES THAT A QUORUM WILL NOT BE PRESENT, THE CHAIRPERSON MAY
4 CANCEL AND RESCHEDULE THE MEETING AS SOON AS PRACTICABLE.

5 (2) *Nonlegislative meeting days.* The Council shall meet for nonlegislative
6 purposes, such as reviewing the County budget as proposed by the County Executive[.]
7 AND conducting public hearings, legislative [[worksessions]] WORK SESSIONS, [[staff]]
8 MONTHLY meetings and other meetings on such matters as may properly come before the
9 Council on any day as directed by the Chairperson [[except]] , BUT the Council shall be
10 prohibited from holding meetings which include an opportunity for public testimony on
11 any day on which Rosh Hashanah, Yom Kippur, Eid Ul Fitr, or Eid Ul Adha is observed.

12 (3) *Meeting times:*

13 (i) *Legislative session days.* A regular legislative session day shall
14 convene on the date set at 7:30 p.m. or as determined by council majority. [[The
15 Council may meet 15 minutes preceding the session for presentation of honorary
16 resolutions, commendations, introduction of public groups, and other matters.]]
17 Emergency legislative sessions and annual legislative sessions shall convene at
18 such times as directed by the Chairperson. [[legislative]] LEGISLATIVE session
19 days shall continue 24 hours from the time the session is convened; the Council
20 may recess from time to time or adjourn at any time during the 24 hours.

21 (ii) *Nonlegislative meetings.* [[Public hearings and legislative work
22 sessions shall convene at 7:30 p.m. on the date set and legislative work sessions
23 shall convene at 4:30 p.m. on the date set, unless otherwise directed by the
24 Chairperson. The Council may meet 15 minutes preceding the public hearings for
25 presentation of honorary resolutions, commendations, introduction of public
26 groups, and other matters. Other meetings shall convene at such times as the
27 Chairperson directs.]] PUBLIC HEARINGS SHALL CONVENE AT 7:30 P.M. AND WORK
28 SESSIONS SHALL CONVENE AT 4:30 P.M. ON THE DATE SET, UNLESS OTHERWISE
29 DIRECTED BY THE CHAIRPERSON.

30 (c) *Place of Meetings.* The place of meeting of the Council shall be the Council hearing

1 room at Ellicott City, Maryland, provided, however, that at the discretion of the Chairperson or
2 at request of three Councilmembers, legislative [[meetings]] SESSIONS, work sessions or public
3 hearings may be held at such locations as the Chairperson may provide.

4 (d) *Notice of Meetings.* The Administrator to the County Council shall give such legal
5 notice as is required by law of all Council meetings and hearings, and shall provide information
6 to the news media and the general public as to the agenda and matters pending before the
7 Council. [[When a meeting has been called which does not require legal notice (such as a
8 worksession on pending matters), the Administrator shall provide information to the news media
9 and the general public as to the agenda and purpose of said meeting.]] Additionally, the
10 Administrator shall keep all Councilmembers adequately informed as to Council agenda,
11 meetings, and other legislative matters.

12 (e) *Public Participation.* Reasonable seating facilities shall be provided for the
13 [[general]] public and THE NEWS MEDIA at all public meetings[, and the general public is
14 encouraged and invited to attend]]. During public hearings upon pending legislation, the budget
15 or other matters, a reasonable amount of time will be provided for members of the public to
16 [[address the Council on pertinent matters]] SPEAK. The Council may allow members of the
17 public to speak on legislation or other pertinent matters at [[worksessions]] WORK SESSIONS of
18 the Council.

19 [[Reasonable seating facilities shall be provided for representatives of all news media at
20 all public meetings, and such representatives are encouraged and invited to attend. At the
21 discretion of the Chairperson or upon request of the majority of the Councilmembers present,
22 any meeting or legislative session may be briefly recessed for the purpose of discussions with
23 representatives of the news media.]]

24 The general public and representatives of the news media are expected and respectfully
25 requested to maintain order and decorum in keeping with the dignity of the governmental
26 process, and to refrain from interfering with this process. THE CHAIRPERSON OR A MAJORITY OF
27 THE COUNCIL MAY ~~REGULATE~~ LIMIT THE USE OF RADIO AND TELEVISION EQUIPMENT TO MINIMIZE
28 INTERFERENCE WITH THE MEETING OR HEARING.

1 **Rule 1.003 Order of Business.**

2 (a) The regular order of business at all legislative sessions of the County Council shall
3 be as follows:

4 (1) [[Presentations of honorary resolutions, commendations, memorials, and
5 other nonlegislative matters, if any.

6 (2)] Chairperson's call to order.

7 (2) PRESENTATIONS OF HONORARY RESOLUTIONS, COMMENDATIONS, MEMORIALS,
8 AND OTHER NON-LEGISLATIVE MATTERS, IF ANY.

9 (3) Approval of journal.

10 (4) APPROVAL OF MINUTES.

11 (5) UNFINISHED BUSINESS.

12 [[(4)] (6) Presentation and disposition of petitions[, applications]].

13 [[(5)] (7) Introduction of [[bills]] **BILLS** and [[resolutions]] **RESOLUTIONS**.

14 [[(6)] (8) Special orders of the day.

15 [[(7)] (9) Call for [[bills]] **BILLS** and [[resolutions]] **RESOLUTIONS** for final
16 reading and vote.

17 (10) OTHER BUSINESS.

18
19 **Rule 1.004 The Presiding Officer.**

20 (A) The Council shall select a Chairperson and a Vice Chairperson. The Chairperson
21 shall be the presiding officer of the Council; in the absence of the Chairperson, the duly elected
22 Vice Chairperson shall be the presiding officer. In the absence of both the Chairperson and the
23 Vice Chairperson, a quorum being present, the Administrator shall call the Council to order and
24 shall receive nominations and conduct an election for Chairperson pro tempore. The Vice
25 Chairperson, or the Chairperson pro tempore, while acting as presiding officer shall have all the
26 authority and voting rights of the Chairperson.

27 [[(a)] (B) *Order and Decorum*. The Chairperson shall preserve order and decorum
28 during the meetings and sessions of the Council. The Chairperson shall have general supervision
29 over the Council Hearing Room and over the rooms, corridors and the lobbies adjacent thereto.
30 In case of any disturbance [[and disturbance and]] OR disorderly conduct therein, the Chairperson

1 shall have the power to order any such place to be cleared.

2 **[[b)] (c) *Prerogative of the Chair.*** The Chairperson may speak on points of order in
3 preference to other members. The Chairperson shall decide on all points of order, and that
4 decision shall be final unless an appeal therefrom is reversed on a ye and nay vote by a majority
5 of the Councilmembers present. The Chairperson's title shall be called first whenever the roll of
6 the Council is called and the Chair **[[shall]] IS ENTITLED TO** vote on all questions except on an
7 appeal from the Chair's decision on a question of order.

8
9 **Rule 1.005 Procedure in Debate.**

10 **(b) *Order During Debate.*** Only members of the Council may participate in debate on
11 any bill, resolution or motion or other matter pending before the Council, unless, upon request by
12 any Councilmember, another person is recognized to speak by the Chairperson for the purpose of
13 clarification or information. **[[No person in the hearing Room shall act in any manner so as to**
14 **interrupt the Councilmember who has been recognized by the Chair.]]** No Councilmember shall
15 speak more than once upon any subject until every other Councilmember wishing to speak shall
16 have spoken and ~~every Councilmember shall confine himself~~ **COUNCILMEMBERS SHALL CONFINE**
17 **THEMSELVES** to the subject under debate.

18 **(c) *Voting; ABSTENTION.*** **[[Every Councilmember present shall vote on every question put to the**
19 **Council except that no]]** No Councilmember shall vote on any question **[[the result of which he**
20 **has an immediate personal or financial interest]]** **ON WHICH THE COUNCILMEMBER IS PROHIBITED**
21 **FROM VOTING BY THE HOWARD COUNTY PUBLIC ETHICS LAW.** Upon the motion of any member,
22 the vote on any question or motion or other matter shall be taken by the yeas and nays and
23 entered in the journal. **ALTHOUGH IT IS THE DUTY OF EVERY COUNCILMEMBER WHO HAS AN**
24 **OPINION ON A QUESTION TO EXPRESS IT BY VOTING, A COUNCILMEMBER MAY ABSTAIN, SINCE NO**
25 **COUNCILMEMBER CAN BE COMPELLED TO VOTE.**

26 **(d) *Roll Call.*** In any roll call, the Administrator shall call the roll of the
27 **[[Councilmember]] COUNCIL MEMBERS,** in alphabetic order, after the Chairperson **[[shall have]]**
28 **HAS** been called.

29 **(e) *Third Reader* **[[--Roll Call]]**.** A Councilmember may first explain a vote, then cast
30 the vote. At the call for the vote any Councilmember may pass; however, after the roll has been

1 completed by the Administrator, the Administrator shall again call those names of the
2 Councilmembers who may have passed upon the first call. After all votes have been cast, the
3 Chair thereupon ~~[[will]]~~ MAY ask the Council if any one desires to change his A vote. If there are
4 any members changing their vote, the Administrator will so record the change of the
5 Councilmember's vote.

6
7 **Rule 1.006 Introduction of bills, resolutions and petitions.**

8 (a) *Introduction of Bills or Resolutions.* Bills or ~~[[resolutions]]~~ RESOLUTIONS which
9 have been prefiled as provided in ~~[[subsection 5.201(a)]]~~ SECTION 1.002(A) of these rules may be
10 introduced by any member at any meeting on call of bills or resolutions. BILLS AND
11 RESOLUTIONS PREFILED BY THE ADMINISTRATION SHALL BE IDENTIFIED AS INTRODUCED BY "THE
12 CHAIRPERSON AT THE REQUEST OF THE COUNTY EXECUTIVE." Bills or resolutions which have not
13 been prefiled may be added to the agenda for introduction by an affirmative vote of at least two-
14 thirds of the Councilmembers to amend the agenda. A bill or resolution as introduced shall be
15 printed~~[[, multilithed, mimeographed, or typewritten, and shall be]]~~ in the form herein provided.
16 When a bill or resolution is introduced, the Administrator shall certify the copy introduced and
17 shall maintain a file on all such original bills or resolutions. The Administrator shall cause copies
18 thereof to be reproduced and made available to the Councilmembers~~[[,]]~~ AND the news media,
19 and shall post one copy on the official bulletin board. Copies shall be made available to the
20 public at reasonable cost. The Administrator shall provide for the notice required by law.

21 (b) *Introduction of Petitions.* Petitions may be presented by the Administrator to the
22 County Council upon application by any person entitled by law to petition the County Council.
23 ~~[[A petition as presented shall be printed, multilithed, mimeographed, or typewritten, and shall~~
24 ~~be in the form provided by law or by these rules.]]~~ When a petition is presented, the
25 Administrator shall certify the copy presented, shall give it a number, and shall maintain a file on
26 all such petitions. The Administrator shall cause copies thereof to be reproduced and made
27 available to the Councilmembers, the public, the news media, and shall post one on the official
28 bulletin board. If the petition raises an issue requiring notice, the Administrator shall provide for
29 the notice required by law.

1 **Rule 1.007 Consideration of bills.**

2 (b) *Amendments.* Amendments to be prefiled shall be offered in printed [[or
3 typewritten]] form and shall be prefiled with the Council Administrator no later than 2:00 p.m.
4 on the second working day preceding the legislative session day at which the amendment is to be
5 voted upon. Upon receipt, the Administrator shall promptly cause all prefiled amendments to be
6 distributed to Councilmembers and posted on the official Council bulletin board. Written
7 amendments that have not been prefiled and any oral amendments may be offered for
8 introduction at the legislative session only after an affirmative vote of two-thirds of the members
9 of the Council present at the legislative session. NOTWITHSTANDING ANY OTHER PROVISION OF
10 THIS SUBSECTION, WHEN AN AMENDMENT IS UNDER CONSIDERATION, A COUNCIL MEMBER MAY
11 OFFER AN AMENDMENT TO THE AMENDMENT. [[The requirements of this section do not apply to
12 amendments, which may be offered by any Councilmember while an amendment which the
13 Councilmember desires to amend is under consideration.]] HOWEVER, AN AMENDMENT TO AN
14 AMENDMENT MAY NOT ITSELF BE AMENDED.

15 (c) *Call of Bills for Final Reading.* Vote on final passage shall be on roll call by taking
16 of the yeas and the nays. If no member objects, the Council may enact more than one bill by a
17 single combined roll call vote. [[An affirmative vote of a majority of the members shall be
18 required to adopt any legislative matter at the final reading except emergency laws, which shall
19 require an affirmative vote of two-thirds of the elected members of the Council for adoption.]]
20 The call of bills for final reading shall include those bills made a special order of the day.

21
22 **Rule 1.008 Consideration of resolutions.**

23 There shall be a first reading and a final reading of each resolution; provided, however,
24 that any resolution may be rejected upon introduction by a vote of two-thirds of the members of
25 the Council, and provided further that any resolution may be withdrawn from consideration
26 before final reading by a vote of two-thirds of the members of the Council. [[On the first reading,
27 a]] A resolution shall be read by number and title [[only when introduced]]. A public hearing
28 may be held on resolutions at the direction of the Chairperson or by motion approved by a
29 majority of the Council. [[On call of resolutions for final passage, the resolution shall be read by
30 number and short descriptive title only; provided, however, that at the request of any member, it

1 shall be read once for amendment before vote only on final passage.]] Vote on final passage shall
2 be on roll call by the yeas and nays, and a majority of the votes of the members shall be
3 necessary to pass the resolution. If no member objects, the Council may enact more than one
4 resolution by a single combined roll call vote. An enrolled copy shall be prepared after final
5 passage and certified a true copy by the Administrator. On enrolling, the Administrator shall
6 have authority to correct obvious errors in section references and numbers, capitalization,
7 spelling, grammar, headings and similar matters.

8
9 **Rule 1.009 Consideration of petitions.**

10 [[On call of presentation of petitions, memorials, and applications, the Administrator
11 shall present to the Chairperson any petitions, memorials, or applications, which]] ANY PETITION
12 shall be read by number and title[[. The Council may then consider the petition and take
13 appropriate]] BEFORE CONSIDERATION AND action BY THE COUNCIL.

14
15 **Rule 1.010 Motions.**

16 (b) *Motions on Questions under Debate.* When a question is under debate, no motion
17 shall be received except a motion:

- 18 (1) To adjourn or TO FIX THE TIME FOR ADJOURNMENT [[adjourn to a time
19 certain]];
- 20 (2) To lay on the table;
- 21 (3) To close debate (to move the question);
- 22 (4) To postpone to a CERTAIN time [[certain]];
- 23 (5) To amend or to amend an amendment;
- 24 (6) To determine the substantive nature of an amendment; OR
- 25 (7) TO POSTPONE INDEFINITELY.

26 None of these motions shall be debatable except a motion to amend or to amend an
27 amendment. A majority of members present shall be required for an adoption of any motion. [[A
28 motion to amend the title of a bill shall not be in order until the bill has been considered in full
29 on call for final reading. When a bill or resolution has been laid upon the table, the item shall not
30 again be taken up for consideration during the remainder of the legislative session.]]

1 (e) **Reconsideration.** When a question has once been decided, a motion of
2 reconsideration is in order if the bill, resolution, motion or matter upon which the vote was taken
3 is still in the possession of the Council. No motion for reconsideration is in order unless made on
4 the same day on which the original vote was taken, or at the next meeting or session of the
5 Council thereafter. The motion for reconsideration may be made by any member who voted with
6 the majority on the original question, and it shall be reconsidered upon the majority vote of all
7 members present and voting. The vote on a motion to reconsider cannot itself be reconsidered.
8 THE MOTION IS DEBATABLE ONLY IF THE QUESTION PROPOSED FOR RECONSIDERATION WAS
9 DEBATABLE, AND HAS THE CHARACTERISTICS DESCRIBED IN §34 37 OF ROBERT'S RULES OF
10 ORDER.

11 (F) **LAY ON THE TABLE.** WHEN A QUESTION IS UNDER CONSIDERATION, THE MOTION TO
12 LAY ON THE TABLE MAY BE USED TO POSTPONE THE QUESTION TO A FUTURE LEGISLATIVE SESSION
13 DAY. THE MOTION IS NOT DEBATABLE AND HAS THE CHARACTERISTICS DESCRIBED IN §17 OF
14 ROBERT'S RULES OF ORDER, EXCEPT THAT WHEN A QUESTION HAS BEEN LAID UPON THE TABLE IT
15 SHALL NOT BE TAKEN UP FOR CONSIDERATION DURING THE REMAINDER OF THE LEGISLATIVE
16 SESSION DAY.

17 (G) **TAKE FROM THE TABLE.** IF A MOTION HAS BEEN LAID ON THE TABLE, THE MOTION TO
18 TAKE FROM THE TABLE MAY BE USED TO BRING BACK THE MOTION BEFORE THE COUNCIL. THE
19 MOTION IS NOT DEBATABLE AND HAS THE CHARACTERISTICS DESCRIBED IN §34 OF ROBERT'S
20 RULES OF ORDER.

21 (H) **POSTPONE TO A CERTAIN TIME.** WHEN A QUESTION IS UNDER CONSIDERATION, THE
22 MOTION TO POSTPONE TO A CERTAIN TIME MAY BE USED TO POSTPONE THE QUESTION TO A
23 SPECIFIED TIME DURING THE SAME LEGISLATIVE SESSION DAY, OR UNTIL AFTER A SPECIFIED EVENT
24 OCCURS DURING THE SAME LEGISLATIVE SESSION DAY. THE MOTION IS DEBATABLE AND HAS THE
25 CHARACTERISTICS DESCRIBED IN §14 OF ROBERT'S RULES OF ORDER.

26 (I) **POSTPONE INDEFINITELY.** WHEN A QUESTION IS UNDER CONSIDERATION, THE MOTION
27 TO POSTPONE INDEFINITELY MAY BE USED TO PERMANENTLY POSTPONE CONSIDERATION OF THE
28 QUESTION. THE MOTION IS DEBATABLE AND HAS THE CHARACTERISTICS DESCRIBED IN §11 OF
29 ROBERT'S RULES OF ORDER.

30 (J) **RESCIND.** WHEN A MOTION HAS BEEN PREVIOUSLY DECIDED, THE MOTION TO RESCIND

1 MAY BE USED TO CHANGE AN ACTION PREVIOUSLY TAKEN BY THE COUNCIL. THE MOTION:

2 (1) MAY BE MADE AT ANY TIME;

3 (2) IS DEBATABLE;

4 (3) MAY BE APPLIED TO AN APPROVED BILL OR RESOLUTION ONLY IF THE ORIGINAL
5 OF THE BILL OR RESOLUTION IS STILL IN THE CUSTODY OF THE COUNCIL OR COUNCIL STAFF; AND

6 (4) HAS THE CHARACTERISTICS DESCRIBED IN §35 OF ROBERT'S RULES OF ORDER.

7 (K) WHEN A COUNCILMEMBER THINKS THAT THESE RULES ARE BEING VIOLATED, THE
8 MEMBER CAN MAKE A POINT OF ORDER, THEREBY CALLING UPON THE CHAIRPERSON FOR A RULING
9 AND AN ENFORCEMENT OF THE RULES. A POINT OF ORDER:

10 (1) TAKES PRECEDENCE OVER THE PENDING QUESTION OUT OF WHICH IT ARISES;

11 (2) YIELDS TO A MOTION TO LAY THE PENDING QUESTION ON THE TABLE;

12 (3) IS IN ORDER WHEN ANOTHER HAS THE FLOOR, EVEN INTERRUPTING A COUNCIL
13 MEMBER SPEAKING IF THE POINT GENUINELY REQUIRES IMMEDIATE ATTENTION;

14 (4) DOES NOT REQUIRE A SECOND;

15 (5) IS NOT DEBATABLE, EXCEPT THAT:

16 (I) THE CHAIRPERSON MAY PERMIT A COUNCIL MEMBER TO EXPLAIN THE
17 POINT OF ORDER; AND

18 (II) IF THE CHAIRPERSON SUBMITS THE POINT OF ORDER TO A VOTE, IT IS
19 DEBATABLE UNLESS IT RELATES TO INDECORUM, RELATES TO THE ORDER OF
20 BUSINESS, OR IS MADE WHEN THE IMMEDIATELY PENDING QUESTION IS NOT
21 DEBATABLE.

22 (6) MUST BE RAISED PROMPTLY AT THE TIME THE VIOLATION OCCURS.
23

24 **Rule 1.011 Council journal.**

25 When a bill, resolution or other legislative matter is journalized for the first time, its title
26 shall be entered in full. Thereafter, subsequent journal entries for any legislative matter may be
27 made by number and an abbreviated title. All amendments shall be printed in the journal when
28 proposed[[, and if they lie over, they shall again be printed in the journal and considered]]. The
29 name of every Councilmember introducing a bill or a resolution or moving to amend a bill or
30 resolution or other legislative matter shall be entered on the Journal. Every question or motion

1 presented to the Council for decision, and the title of every bill or resolution or other legislative
2 matter considered, shall be entered upon the journal. [[If any motion or proposition be
3 withdrawn, all proceedings relating immediately thereto shall be expunged from the journal. The
4 index of the journal shall be prepared under the direction and supervision of the County Solicitor
5 or designee.]]

6
7 **Rule 1.012 Conduct of public hearings.**

8 (b) Preliminary Action. Upon convening the hearing, the presiding officer shall give a
9 brief explanation of the purpose of the hearing and shall cause to be presented any information or
10 data, including reading of the legislation by the Administrator and explanation of the legislation
11 by the Councilmember or a representative of the administration, which is required before the
12 public discussion begins. In the case of a hearing during which a large number of people wish to
13 testify, the Chairperson may, prior to the presentation of testimony by the first person, establish a
14 maximum time limit of three minutes for oral testimony by each person. The Chairperson may
15 also establish a maximum time limit of five minutes for oral testimony by a spokesperson
16 testifying for an organization. The Chairperson may require advance sign-up [[sheets]] to
17 expedite testimony, and in such cases all those who are signed to speak shall be heard before any
18 people testifying spontaneously are recognized. When advance signup [[sheets are]] IS
19 necessary, people wishing to testify shall be permitted to sign up [[beginning one-half hour]]
20 prior to the scheduled starting time for the public hearing.

21 (e) [[Questions of Councilmembers. A Councilmember may be questioned only by
22 consent of the Council.

23 (f)] Written Testimony. Written testimony on bills may be submitted to the Council at
24 any time [[between the day]] following introduction [[and 4:30 p.m. on the business day prior to
25 the legislative session during which passage of the bill will be considered. The preferred form for
26 submitting written testimony is typewritten in ten copies]].

27
28 **Rule 1.013 Conduct during presentation of petitions.**

29 [[c) Questions of Councilmembers. A Councilmember may be questioned only by
30 consent of the Council.]] A COUNCILMEMBER MAY ANSWER QUESTIONS.

1

2 **AND BE IT FURTHER RESOLVED** that these amendments to the Howard County

3 *Council Rules of Procedure shall take effect on passage of this Resolution.*

Amendment 1 to CR11-2011

BY: Chair and
Courtney Watson

Legislative Day No. 3

Date: march 7, 2011

Amendment No. 1

(This amendment clarifies that control of the news media is only for the purpose of avoiding interference, removes gender specific language, makes a technical correction, accommodates electronic sign ups to testify, and clarifies that a Councilmember may answer questions.)

- 1 On page 4, in line 27, strike "REGULATE" and substitute "LIMIT".
2
3 On page 6, in line 16, strike "every Councilmember shall confine himself" and substitute
4 "COUNCILMEMBERS SHALL CONFINE THEMSELVES".
5
6 On page 7, in line 2, strike "his" and substitute "A".
7
8 On page 10, in line 8, strike "34" and substitute "37".
9
10 On page 12, after line 5, insert:
11 (b) Preliminary Action. Upon convening the hearing, the presiding officer shall give a brief
12 explanation of the purpose of the hearing and shall cause to be presented any information or data,
13 including reading of the legislation by the Administrator and explanation of the legislation by the
14 Councilmember or a representative of the administration, which is required before the public discussion
15 begins. In the case of a hearing during which a large number of people wish to testify, the Chairperson
16 may, prior to the presentation of testimony by the first person, establish a maximum time limit of three
17 minutes for oral testimony by each person. The Chairperson may also establish a maximum time limit of
18 five minutes for oral testimony by a spokesperson testifying for an organization. The Chairperson may
19 require advance sign-up [[sheets]] to expedite testimony, and in such cases all those who are signed to
20 speak shall be heard before any people testifying spontaneously are recognized. When advance signup
21 [[sheets are]] IS necessary, people wishing to testify shall be permitted to sign up [[beginning one-half
22 hour]] prior to the scheduled starting time for the public hearing.
23

ADOPTED march 7, 2011

FAILED

SIGNATURE Stephen Anderson

1 On page 12, in line 15 after “]]” insert “A COUNCILMEMBER MAY ANSWER QUESTIONS.”.

2

County Council of Howard County, Maryland

2011 Legislative Session

Legislative day 2

RESOLUTION NO. 11 - 2011

Introduced by: Chair and Courtney Watson

A RESOLUTION amending the Howard County Council Rules of Procedure to conform to longstanding practices; authorizing the Chairperson to cancel a meeting under specified circumstances; clarifying when the Council is permitted to conduct closed sessions and who may attend such sessions; clarifying that the Chairperson may, but need not, vote; clarifying the way that Administration requests are characterized; and generally relating to the Council Rules of Procedure.

Introduced and read first time on _____, 2011.

By order _____
Stephen LeGendre, Administrator to the County Council

Read for a second time and a public hearing held on _____, 2011.

By order _____
Stephen LeGendre, Administrator to the County Council

This Resolution was read the third time and was Adopted____, Adopted with amendments____, Failed____, Withdrawn ____ by the County Council on _____, 2011.

Certified by _____
Stephen LeGendre, Administrator to the County Council

NOTE: [[text in brackets]] indicates deletions from existing language; TEXT IN SMALL CAPITALS indicates additions to existing language. Strike-out indicates material deleted by amendment; Underlining indicates material added by amendment.

1 **WHEREAS**, Article II, Section 208(f) of the Howard County Charter provides that the
2 Council shall adopt and publish such Rules of Procedure as it determines are desirable for its
3 efficient operation; and
4

5 **WHEREAS**, the Council has determined that the Rules of Procedure must be amended to
6 ensure that the Council operates efficiently and effectively.
7

8 **NOW, THEREFORE, BE IT RESOLVED** by the County Council of Howard County,
9 Maryland this _____ day of _____, 2011 that the Rules of Procedure of the Howard
10 County Council, set forth in Appendix A of the Howard County Code, are amended as follows:
11

12 **Appendix A.**
13

14 **Rules of Procedure for the County Council**
15 **of Howard County, Maryland**
16

17 **Rule 1.001 General.**

18 These rules of procedure for the County Council are adopted under authority of section
19 208 of the Howard County Charter.

20 (a) *Types of Meetings.* The Council shall hold regular legislative meetings and such
21 other meetings, hearings, and ~~[[worksessions]]~~ WORK SESSIONS as may be provided by law or
22 required for the orderly conduct of business. All such meetings shall be open to the public. The
23 Council may ~~[[also]]~~ meet ~~[[informally and]]~~ in closed SESSION AS PERMITTED BY THE STATE
24 OPEN MEETINGS ACT. ANY CLOSED MEETING, EXCEPT A MEETING THAT IS CLOSED TO DISCUSS A
25 PERSONNEL ISSUE, MAY BE ATTENDED BY ANY COUNCILMEMBER, SPECIAL ASSISTANT TO A
26 COUNCILMEMBER, AND APPROPRIATE COUNTY PROFESSIONAL STAFF MEMBER UNLESS THE
27 COUNCIL EXPRESSLY FURTHER RESTRICTS ATTENDANCE. ~~[[for the purpose of discussing:~~

28 (1) The administrative affairs of the legislative Branch (such as screening and
29 selection of employees of the Council and for considering personnel problems);

30 (2) The selection of sites proposed for acquisition by the County or for the

1 location of County facilities;

2 (3) The awards of contracts to perform services for the County; and

3 (4) For discussing legal strategy on a matter involving past, present or future
4 litigation.

5 These closed meetings shall be for the purpose of discussion only and no]] NO ordinance,
6 resolution, rule or regulations shall be adopted except during a duly called public meeting or
7 session. All legislative meetings of the Council and all public hearings shall be recorded. [[The
8 record shall be transcribed and be reduced to a typewritten record when requested by any party in
9 interest, provided that said party ordering the record shall pay to the Administrator of the
10 Council, in advance, the cost of transcribing the same.]]

11 (b) *Time of Meetings:*

12 (1) [[legislative]] *Legislative session days.* The Council may sit up to 45 days in
13 each year for the purpose of introducing and enacting legislation. [[The]] EXCEPT AS
14 OTHERWISE PROVIDED IN THIS PARAGRAPH, THE Council shall meet regularly on the first
15 Monday in each month[[, except:]].

16 (i) If the first Monday is a County Government holiday or a day on which
17 Rosh Hashanah, Yom Kippur, Eid Ul Fitr or Eid Ul Adha is observed, then the
18 meeting shall be held on the next succeeding day which is not one of these days.

19 (ii) There shall be no legislative session in August, except for an
20 emergency legislative session, unless the Council provides by resolution for a
21 session in August[[:]].

22 (iii) During a [[councilmanic]] COUNCIL election year no legislative
23 session, except for an emergency legislative session, shall be held during the
24 month of November nor during the month of December until a majority of the
25 members of the Council shall be qualified[[:]].

26 (iv) The Council may be called into emergency legislative session either
27 by the County Executive or by a majority of the members of the Council on any
28 day as directed by the Chairperson[[: and]].

29 (v) At any session prior to any scheduled session, the Council may
30 determine by an affirmative vote of two-thirds of its members not to sit at any

1 regularly scheduled session.

2 (VI) IF IN ADVANCE OF ANY SCHEDULED MEETING THE CHAIRPERSON
3 DETERMINES THAT A QUORUM WILL NOT BE PRESENT, THE CHAIRPERSON MAY
4 CANCEL AND RESCHEDULE THE MEETING AS SOON AS PRACTICABLE.

5 (2) *Nonlegislative meeting days.* The Council shall meet for nonlegislative
6 purposes, such as reviewing the County budget as proposed by the County Executive[[],]
7 AND conducting public hearings, legislative [[worksessions]] WORK SESSIONS, [[staff]]
8 MONTHLY meetings and other meetings on such matters as may properly come before the
9 Council on any day as directed by the Chairperson [[except]] , BUT the Council shall be
10 prohibited from holding meetings which include an opportunity for public testimony on
11 any day on which Rosh Hashanah, Yom Kippur, Eid Ul Fitr, or Eid Ul Adha is observed.

12 (3) *Meeting times:*

13 (i) *Legislative session days.* A regular legislative session day shall
14 convene on the date set at 7:30 p.m. or as determined by council majority. [[The
15 Council may meet 15 minutes preceding the session for presentation of honorary
16 resolutions, commendations, introduction of public groups, and other matters.]]
17 Emergency legislative sessions and annual legislative sessions shall convene at
18 such times as directed by the Chairperson. [[[legislative]]] LEGISLATIVE session
19 days shall continue 24 hours from the time the session is convened; the Council
20 may recess from time to time or adjourn at any time during the 24 hours.

21 (ii) *Nonlegislative meetings.* [[Public hearings and legislative work
22 sessions shall convene at 7:30 p.m. on the date set and legislative work sessions
23 shall convene at 4:30 p.m. on the date set, unless otherwise directed by the
24 Chairperson. The Council may meet 15 minutes preceding the public hearings for
25 presentation of honorary resolutions, commendations, introduction of public
26 groups, and other matters. Other meetings shall convene at such times as the
27 Chairperson directs.]] PUBLIC HEARINGS SHALL CONVENE AT 7:30 P.M. AND WORK
28 SESSIONS SHALL CONVENE AT 4:30 P.M. ON THE DATE SET, UNLESS OTHERWISE
29 DIRECTED BY THE CHAIRPERSON.

30 (c) *Place of Meetings.* The place of meeting of the Council shall be the Council hearing

1 room at Ellicott City, Maryland, provided, however, that at the discretion of the Chairperson or
2 at request of three Councilmembers, legislative [[meetings]] SESSIONS, work sessions or public
3 hearings may be held at such locations as the Chairperson may provide.

4 (d) *Notice of Meetings.* The Administrator to the County Council shall give such legal
5 notice as is required by law of all Council meetings and hearings, and shall provide information
6 to the news media and the general public as to the agenda and matters pending before the
7 Council. [[When a meeting has been called which does not require legal notice (such as a
8 worksession on pending matters), the Administrator shall provide information to the news media
9 and the general public as to the agenda and purpose of said meeting.]] Additionally, the
10 Administrator shall keep all Councilmembers adequately informed as to Council agenda,
11 meetings, and other legislative matters.

12 (e) *Public Participation.* Reasonable seating facilities shall be provided for the
13 [[general]] public and THE NEWS MEDIA at all public meetings[[, and the general public is
14 encouraged and invited to attend]]. During public hearings upon pending legislation, the budget
15 or other matters, a reasonable amount of time will be provided for members of the public to
16 [[address the Council on pertinent matters]] SPEAK. The Council may allow members of the
17 public to speak on legislation or other pertinent matters at [[worksessions]] WORK SESSIONS of
18 the Council.

19 [[Reasonable seating facilities shall be provided for representatives of all news media at
20 all public meetings, and such representatives are encouraged and invited to attend. At the
21 discretion of the Chairperson or upon request of the majority of the Councilmembers present,
22 any meeting or legislative session may be briefly recessed for the purpose of discussions with
23 representatives of the news media.]]

24 The general public and representatives of the news media are expected and respectfully
25 requested to maintain order and decorum in keeping with the dignity of the governmental
26 process, and to refrain from interfering with this process. THE CHAIRPERSON OR A MAJORITY OF
27 THE COUNCIL MAY REGULATE THE USE OF RADIO AND TELEVISION EQUIPMENT TO MINIMIZE
28 INTERFERENCE WITH THE MEETING OR HEARING.

1 **Rule 1.003 Order of Business.**

2 (a) The regular order of business at all legislative sessions of the County Council shall
3 be as follows:

4 (1) ~~[[Presentations of honorary resolutions, commendations, memorials, and~~
5 other nonlegislative matters, if any.

6 (2)]] Chairperson's call to order.

7 (2) PRESENTATIONS OF HONORARY RESOLUTIONS, COMMENDATIONS, MEMORIALS,
8 AND OTHER NON-LEGISLATIVE MATTERS, IF ANY.

9 (3) Approval of journal.

10 (4) APPROVAL OF MINUTES.

11 (5) UNFINISHED BUSINESS.

12 [[(4)]] (6) Presentation and disposition of petitions[, applications]].

13 [[(5)]] (7) Introduction of ~~[[bills]]~~ *BILLS* and ~~[[resolutions]]~~ *RESOLUTIONS*.

14 [[(6)]] (8) Special orders of the day.

15 [[(7)]] (9) Call for ~~[[bills]]~~ *BILLS* and ~~[[resolutions]]~~ *RESOLUTIONS* for final
16 reading and vote.

17 (10) OTHER BUSINESS.

18
19 **Rule 1.004 The Presiding Officer.**

20 (A) The Council shall select a Chairperson and a Vice Chairperson. The Chairperson
21 shall be the presiding officer of the Council; in the absence of the Chairperson, *the* duly elected
22 Vice Chairperson shall be the presiding officer. In the absence of both the Chairperson and the
23 Vice Chairperson, a quorum being present, the Administrator shall call the Council to order and
24 shall receive nominations and conduct an election for Chairperson pro tempore. The Vice
25 Chairperson, or the Chairperson pro tempore, while acting as presiding officer shall have all the
26 authority and voting rights of the Chairperson.

27 [[(a)]] (B) *Order and Decorum.* The Chairperson shall preserve order and decorum
28 during the meetings and sessions of the Council. The Chairperson shall have general supervision
29 over the Council Hearing Room and over the rooms, corridors and the lobbies adjacent thereto.
30 In case of any disturbance ~~[[and disturbance and]]~~ OR disorderly conduct therein, the Chairperson

1 shall have the power to order any such place to be cleared.

2 ~~[[(b)]]~~ (c) *Prerogative of the Chair.* The Chairperson may speak on points of order in
3 preference to other members. The Chairperson shall decide on all points of order, and that
4 decision shall be final unless an appeal therefrom is reversed on a yea and nay vote by a majority
5 of the Councilmembers present. The Chairperson's title shall be called first whenever the roll of
6 the Council is called and the Chair ~~[[shall]]~~ IS ENTITLED TO vote on all questions except on an
7 appeal from the Chair's decision on a question of order.

8
9 **Rule 1.005 Procedure in Debate.**

10 (b) *Order During Debate.* Only members of the Council may participate in debate on
11 any bill, resolution or motion or other matter pending before the Council, unless, upon request by
12 any Councilmember, another person is recognized to speak by the Chairperson for the purpose of
13 clarification or information. ~~[[No person in the hearing Room shall act in any manner so as to~~
14 ~~interrupt the Councilmember who has been recognized by the Chair.]]~~ No Councilmember shall
15 speak more than once upon any subject until every other Councilmember wishing to speak shall
16 have spoken and every Councilmember shall confine himself to the subject under debate.

17 (c) *Voting; ABSTENTION.* ~~[[Every Councilmember present shall vote on every question put to the~~
18 ~~Council except that no]]~~ NO Councilmember shall vote on any question ~~[[the result of which he~~
19 ~~has an immediate personal or financial interest]]~~ ON WHICH THE COUNCILMEMBER IS PROHIBITED
20 FROM VOTING BY THE HOWARD COUNTY PUBLIC ETHICS LAW. Upon the motion of any member,
21 the vote on any question or motion or other matter shall be taken by the yeas and nays and
22 entered in the journal. ALTHOUGH IT IS THE DUTY OF EVERY COUNCILMEMBER WHO HAS AN
23 OPINION ON A QUESTION TO EXPRESS IT BY VOTING, A COUNCILMEMBER MAY ABSTAIN, SINCE NO
24 COUNCILMEMBER CAN BE COMPELLED TO VOTE.

25 (d) *Roll Call.* In any roll call, the Administrator shall call the roll of the
26 ~~[[Councilmember]]~~ COUNCIL MEMBERS, in alphabetic order, after the Chairperson ~~[[shall have]]~~
27 HAS been called.

28 (e) *Third Reader* ~~[[--Roll Call]]~~. A Councilmember may first explain a vote, then cast
29 the vote. At the call for the vote any Councilmember may pass; however, after the roll has been
30 completed by the Administrator, the Administrator shall again call those names of the

1 Councilmembers who may have passed upon the first call. After all votes have been cast, the
2 Chair thereupon ~~[[will]]~~ MAY ask the Council if any one desires to change his vote. If there are
3 any members changing their vote, the Administrator will so record the change of the
4 Councilmember's vote.

5
6 **Rule 1.006 Introduction of bills, resolutions and petitions.**

7 (a) *Introduction of Bills or Resolutions.* Bills or ~~[[resolutions]]~~ RESOLUTIONS which
8 have been prefiled as provided in ~~[[subsection 5.201(a)]]~~ SECTION 1.002(A) of these rules may be
9 introduced by any member at any meeting on call of bills or resolutions. BILLS AND
10 RESOLUTIONS PREFILED BY THE ADMINISTRATION SHALL BE IDENTIFIED AS INTRODUCED BY "THE
11 CHAIRPERSON AT THE REQUEST OF THE COUNTY EXECUTIVE." Bills or resolutions which have not
12 been prefiled may be added to the agenda for introduction by an affirmative vote of at least two-
13 thirds of the Councilmembers to amend the agenda. A bill or resolution as introduced shall be
14 printed~~[[, multilithed, mimeographed, or typewritten, and shall be]]~~ in the form herein provided.
15 When a bill or resolution is introduced, the Administrator shall certify the copy introduced and
16 shall maintain a file on all such original bills or resolutions. The Administrator shall cause copies
17 thereof to be reproduced and made available to the Councilmembers~~[[,]]~~ AND the news media,
18 and shall post one copy on the official bulletin board. Copies shall be made available to the
19 public at reasonable cost. The Administrator shall provide for the notice required by law.

20 (b) *Introduction of Petitions.* Petitions may be presented by the Administrator to the
21 County Council upon application by any person entitled by law to petition the County Council.
22 ~~[[A petition as presented shall be printed, multilithed, mimeographed, or typewritten, and shall~~
23 ~~be in the form provided by law or by these rules.]]~~ When a petition is presented, the
24 Administrator shall certify the copy presented, shall give it a number, and shall maintain a file on
25 all such petitions. The Administrator shall cause copies thereof to be reproduced and made
26 available to the Councilmembers, the public, the news media, and shall post one on the official
27 bulletin board. If the petition raises an issue requiring notice, the Administrator shall provide for
28 the notice required by law.

29
30 **Rule 1.007 Consideration of bills.**

1 (b) *Amendments.* Amendments to be prefiled shall be offered in printed [[or
2 typewritten]] form and shall be prefiled with the Council Administrator no later than 2:00 p.m.
3 on the second working day preceding the legislative session day at which the amendment is to be
4 voted upon. Upon receipt, the Administrator shall promptly cause all prefiled amendments to be
5 distributed to Councilmembers and posted on the official Council bulletin board. Written
6 amendments that have not been prefiled and any oral amendments may be offered for
7 introduction at the legislative session only after an affirmative vote of two-thirds of the members
8 of the Council present at the legislative session. NOTWITHSTANDING ANY OTHER PROVISION OF
9 THIS SUBSECTION, WHEN AN AMENDMENT IS UNDER CONSIDERATION, A COUNCIL MEMBER MAY
10 OFFER AN AMENDMENT TO THE AMENDMENT. [[The requirements of this section do not apply to
11 amendments, which may be offered by any Councilmember while an amendment which the
12 Councilmember desires to amend is under consideration.]] HOWEVER, AN AMENDMENT TO AN
13 AMENDMENT MAY NOT ITSELF BE AMENDED.

14 (c) *Call of Bills for Final Reading.* Vote on final passage shall be on roll call by taking
15 of the yeas and the nays. If no member objects, the Council may enact more than one bill by a
16 single combined roll call vote. [[An affirmative vote of a majority of the members shall be
17 required to adopt any legislative matter at the final reading except emergency laws, which shall
18 require an affirmative vote of two-thirds of the elected members of the Council for adoption.]]
19 The call of bills for final reading shall include those bills made a special order of the day.
20

21 **Rule 1.008 Consideration of resolutions.**

22 There shall be a first reading and a final reading of each resolution; provided, however,
23 that any resolution may be rejected upon introduction by a vote of two-thirds of the members of
24 the Council, and provided further that any resolution may be withdrawn from consideration
25 before final reading by a vote of two-thirds of the members of the Council. [[On the first reading,
26 a]] A resolution shall be read by number and title [[only when introduced]]. A public hearing
27 may be held on resolutions at the direction of the Chairperson or by motion approved by a
28 majority of the Council. [[On call of resolutions for final passage, the resolution shall be read by
29 number and short descriptive title only; provided, however, that at the request of any member, it
30 shall be read once for amendment before vote only on final passage.]] Vote on final passage shall

1 be on roll call by the yeas and nays, and a majority of the votes of the members shall be
2 necessary to pass the resolution. If no member objects, the Council may enact more than one
3 resolution by a single combined roll call vote. An enrolled copy shall be prepared after final
4 passage and certified a true copy by the Administrator. On enrolling, the Administrator shall
5 have authority to correct obvious errors in section references and numbers, capitalization,
6 spelling, grammar, headings and similar matters.

7
8 **Rule 1.009 Consideration of petitions.**

9 [[On call of presentation of petitions, memorials, and applications, the Administrator
10 shall present to the Chairperson any petitions, memorials, or applications, which]] ANY PETITION
11 shall be read by number and title[. The Council may then consider the petition and take
12 appropriate]] BEFORE CONSIDERATION AND action BY THE COUNCIL.

13
14 **Rule 1.010 Motions.**

15 (b) *Motions on Questions under Debate.* When a question is under debate, no motion
16 shall be received except a motion:

- 17 (1) To adjourn or TO FIX THE TIME FOR ADJOURNMENT [[adjourn to a time
18 certain]];
- 19 (2) To lay on the table;
- 20 (3) To close debate (to move the question);
- 21 (4) To postpone to a CERTAIN time [[certain]];
- 22 (5) To amend or to amend an amendment;
- 23 (6) To determine the substantive nature of an amendment; OR
- 24 (7) TO POSTPONE INDEFINITELY.

25 None of these motions shall be debatable except a motion to amend or to amend an
26 amendment. A majority of members present shall be required for an adoption of any motion. [[A
27 motion to amend the title of a bill shall not be in order until the bill has been considered in full
28 on call for final reading. When a bill or resolution has been laid upon the table, the item shall not
29 again be taken up for consideration during the remainder of the legislative session.]]

30 (e) *Reconsideration.* When a question has once been decided, a motion of

1 reconsideration is in order if the bill, resolution, motion or matter upon which the vote was taken
2 is still in the possession of the Council. No motion for reconsideration is in order unless made on
3 the same day on which the original vote was taken, or at the next meeting or session of the
4 Council thereafter. The motion for reconsideration may be made by any member who voted with
5 the majority on the original question, and it shall be reconsidered upon the majority vote of all
6 members present and voting. The vote on a motion to reconsider cannot itself be reconsidered.
7 THE MOTION IS DEBATABLE ONLY IF THE QUESTION PROPOSED FOR RECONSIDERATION WAS
8 DEBATABLE, AND HAS THE CHARACTERISTICS DESCRIBED IN §34 OF ROBERT'S RULES OF ORDER.

9 (F) *LAY ON THE TABLE.* WHEN A QUESTION IS UNDER CONSIDERATION, THE MOTION TO
10 LAY ON THE TABLE MAY BE USED TO POSTPONE THE QUESTION TO A FUTURE LEGISLATIVE SESSION
11 DAY. THE MOTION IS NOT DEBATABLE AND HAS THE CHARACTERISTICS DESCRIBED IN §17 OF
12 ROBERT'S RULES OF ORDER, EXCEPT THAT WHEN A QUESTION HAS BEEN LAID UPON THE TABLE IT
13 SHALL NOT BE TAKEN UP FOR CONSIDERATION DURING THE REMAINDER OF THE LEGISLATIVE
14 SESSION DAY.

15 (G) *TAKE FROM THE TABLE.* IF A MOTION HAS BEEN LAID ON THE TABLE, THE MOTION TO
16 TAKE FROM THE TABLE MAY BE USED TO BRING BACK THE MOTION BEFORE THE COUNCIL. THE
17 MOTION IS NOT DEBATABLE AND HAS THE CHARACTERISTICS DESCRIBED IN §34 OF ROBERT'S
18 RULES OF ORDER.

19 (H) *POSTPONE TO A CERTAIN TIME.* WHEN A QUESTION IS UNDER CONSIDERATION, THE
20 MOTION TO POSTPONE TO A CERTAIN TIME MAY BE USED TO POSTPONE THE QUESTION TO A
21 SPECIFIED TIME DURING THE SAME LEGISLATIVE SESSION DAY, OR UNTIL AFTER A SPECIFIED EVENT
22 OCCURS DURING THE SAME LEGISLATIVE SESSION DAY. THE MOTION IS DEBATABLE AND HAS THE
23 CHARACTERISTICS DESCRIBED IN §14 OF ROBERT'S RULES OF ORDER.

24 (I) *POSTPONE INDEFINITELY.* WHEN A QUESTION IS UNDER CONSIDERATION, THE MOTION
25 TO POSTPONE INDEFINITELY MAY BE USED TO PERMANENTLY POSTPONE CONSIDERATION OF THE
26 QUESTION. THE MOTION IS DEBATABLE AND HAS THE CHARACTERISTICS DESCRIBED IN §11 OF
27 ROBERT'S RULES OF ORDER.

28 (J) *RESCIND.* WHEN A MOTION HAS BEEN PREVIOUSLY DECIDED, THE MOTION TO RESCIND
29 MAY BE USED TO CHANGE AN ACTION PREVIOUSLY TAKEN BY THE COUNCIL. THE MOTION:

30 (1) MAY BE MADE AT ANY TIME;

1 (2) IS DEBATABLE;

2 (3) MAY BE APPLIED TO AN APPROVED BILL OR RESOLUTION ONLY IF THE ORIGINAL
3 OF THE BILL OR RESOLUTION IS STILL IN THE CUSTODY OF THE COUNCIL OR COUNCIL STAFF; AND

4 (4) HAS THE CHARACTERISTICS DESCRIBED IN §35 OF ROBERT'S RULES OF ORDER.

5 (K) WHEN A COUNCILMEMBER THINKS THAT THESE RULES ARE BEING VIOLATED, THE
6 MEMBER CAN MAKE A POINT OF ORDER, THEREBY CALLING UPON THE CHAIRPERSON FOR A RULING
7 AND AN ENFORCEMENT OF THE RULES. A POINT OF ORDER:

8 (1) TAKES PRECEDENCE OVER THE PENDING QUESTION OUT OF WHICH IT ARISES;

9 (2) YIELDS TO A MOTION TO LAY THE PENDING QUESTION ON THE TABLE;

10 (3) IS IN ORDER WHEN ANOTHER HAS THE FLOOR, EVEN INTERRUPTING A COUNCIL
11 MEMBER SPEAKING IF THE POINT GENUINELY REQUIRES IMMEDIATE ATTENTION;

12 (4) DOES NOT REQUIRE A SECOND;

13 (5) IS NOT DEBATABLE, EXCEPT THAT:

14 (I) THE CHAIRPERSON MAY PERMIT A COUNCIL MEMBER TO EXPLAIN THE
15 POINT OF ORDER; AND

16 (II) IF THE CHAIRPERSON SUBMITS THE POINT OF ORDER TO A VOTE, IT IS
17 DEBATABLE UNLESS IT RELATES TO INDECORUM, RELATES TO THE ORDER OF
18 BUSINESS, OR IS MADE WHEN THE IMMEDIATELY PENDING QUESTION IS NOT
19 DEBATABLE.

20 (6) MUST BE RAISED PROMPTLY AT THE TIME THE VIOLATION OCCURS.

21
22 **Rule 1.011 Council journal.**

23 When a bill, resolution or other legislative matter is journalized for the first time, its title
24 shall be entered in full. Thereafter, subsequent journal entries for any legislative matter may be
25 made by number and an abbreviated title. All amendments shall be printed in the journal when
26 proposed[[, and if they lie over, they shall again be printed in the journal and considered]]. The
27 name of every Councilmember introducing a bill or a resolution or moving to amend a bill or
28 resolution or other legislative matter shall be entered on the Journal. Every question or motion
29 presented to the Council for decision, and the title of every bill or resolution or other legislative
30 matter considered, shall be entered upon the journal. [[If any motion or proposition be

1 withdrawn, all proceedings relating immediately thereto shall be expunged from the journal. The
2 index of the journal shall be prepared under the direction and supervision of the County Solicitor
3 or designee.]]

4
5 **Rule 1.012 Conduct of public hearings.**

6 (e) *[[Questions of Councilmembers.* A Councilmember may be questioned only by
7 consent of the Council.

8 (f)] *Written Testimony.* Written testimony on bills may be submitted to the Council at
9 any time *[[between the day]]* following introduction *[[and 4:30 p.m. on the business day prior to*
10 *the legislative session during which passage of the bill will be considered. The preferred form for*
11 *submitting written testimony is typewritten in ten copies]].*

12
13 **Rule 1.013 Conduct during presentation of petitions.**

14 *[[[(c) Questions of Councilmembers.* A Councilmember may be questioned only by
15 consent of the Council.]]

16
17 **AND BE IT FURTHER RESOLVED** that these amendments to the Howard County
18 Council Rules of Procedure shall take effect on passage of this Resolution.